

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

FONDIA MOORE,

Plaintiff,

v.

DOUG WADDINGTON, *et al.*

Defendants.

Case No. C06-5449 RJB/KLS

ORDER TO SHOW CAUSE

This case has been referred to United States Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1) and Local MJR 3 and 4. This matter comes before the Court on plaintiff's filing of an application to proceed *in forma pauperis* and a civil rights complaint under 42 U.S.C. § 1983. To file a complaint and initiate legal proceedings plaintiff must pay a filing fee of \$350.00 or file a proper application to proceed *in forma pauperis*.

On August 8, 2006, the Clerk received plaintiff's complaint and application to proceed *in forma pauperis*. (Dkt. # 1). On August 9, 2006, the Clerk sent plaintiff a letter informing him that he must either pay the court filing fee or submit a proper application to proceed *in forma pauperis* by September 8, 2006, or this matter could be subject to dismissal. (Dkt. # 2). Plaintiff was advised that he had submitted an insufficient number of copies of his Complaint for service on all of the named defendants; that he had not submitted the full names and addresses for each named defendant; that the service copies he submitted were not identical to his original Complaint; that he had failed to submit Marshal forms; and that he had

1 submitted the incorrect Authorization form.

2 Pursuant to 28 U.S.C. § 1915(b), a prisoner seeking to proceed *in forma pauperis* is required to  
3 submit a written acknowledgment and authorization form, authorizing the agency having custody over him  
4 to collect from his prison trust account an initial partial filing fee and subsequent monthly payments until  
5 the full filing fee is paid. Plaintiff has not submitted the acknowledgment and authorization form approved  
6 for use by this court.

7 Accordingly, the Court orders the following:

- 8 (1) Plaintiff shall seek to cure the above deficiencies by paying the full \$350.00 court filing fee  
9 or completing a proper application to proceed *in forma pauperis* filing **no later than**  
10 **October 31, 2006**, including a copy of the acknowledgment and authorization form  
11 pursuant to 28 U.S.C. § 1915(b), service copies, addresses and Marshal forms noted above.  
12 **Failure to cure these deficiencies by the above date shall be deemed a failure to**  
13 **properly prosecute this matter and the court will recommend dismissal of this matter.**
- 14 (2) The Clerk is directed to send a copy of this Order to plaintiff, along with any appropriate  
15 forms.

16 DATED this 26th day of September, 2006.

17  
18  
19 

20 Karen L. Strombom  
21 United States Magistrate Judge  
22  
23  
24  
25  
26  
27  
28